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17 January 1978

MEMORANDUM FOR THE RECORD

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SUBJECT: Discussion with Mike Hershman, House International Relations Subcommittee on International Organizations Staff, 17 January

1. Called Mike Hershman, on the staff of Chairman Donald M. Fraser's (D., Minn.) House International Relations Subcommittee on International Organizations, concerning the Director's meeting with the Attorney General last Thursday regarding access to new material by the Subcommittee and its staff. I indicated that had accompanied the Director to the meeting with the Attorney General.

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2. I said that the Attorney General indicated that the Justice Department action concerning its investigation of leaks from the Subcommittee was not complete and, therefore, I assumed that Justice would not be referring the matter to the House of Representatives (as Hershman had indicated they would) until the package was fully pulled together. I said that, in addition, Justice's investigation of certain aspects of the matter was continuing and this investigation was not limited to a single member of the Committee and presumably also extended to the staff.

3. I told Hershman that it was my impression that there had been an understanding between the Attorney General and Chairman Fraser regarding the Justice Department investigation and that the "stand down" which had been agreed to earlier by the Attorney General and the Director was still in effect. I also added that while I obviously was not speaking for the Attorney General, I assumed that Judge Bell would be pleased to discuss this matter further with Chairman Fraser if the Chairman wished to take it up with him.

4. Hershman said he was understandably unhappy to receive this word but, as we had discussed previously, could understand that if the "stand down" is to continue on a matter of the Committee's investigation, it would also continue (as I said it would) with regard to the request for a briefing of the Subcommittee and 16 members of the staff on

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5. [] Hershman went on to say that the Subcommittee would be meeting on Monday, 23 January, and at that time the staff would recommend (as he had previously indicated they would) that the Subcommittee issue subpoenas for access to further CIA information and witnesses and for access to a considerable amount of NSA material which had previously been denied them. He said more precisely that the Subcommittee had seen most of the CIA documents it was interested in but wanted to talk with about five present or former CIA employees. (These interviews probably will relate to the question of the extent to which CIA provided information on []

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6. [] Hershman was not hostile but obviously feels that if the Committee is precluded from gaining access to relevant information over a protracted period of time because of continuing Justice Department investigations, it obviously will not be able to do the job it has undertaken and, therefore, must take action as is available to it to get access to this material.

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7. [] My final words to Hershman were the expression of a personal opinion that I hoped Chairman Fraser would discuss this material with Judge Bell before considering the matter of subpoenas.

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